

Applicant is also required to list all claims readable on the elected species. The Office Action states that claims 1-8; 11, 14 and 15 are generic.

In response, Applicant hereby elects Species I, the embodiment represented by Figures 1-3. Applicant believes that claims 1-11 and 13-15 are readable on Species I and elects claims 1-11 and 13-15 for further prosecution. Species II, referring to Figures 4-6, relates to the manufacture of culture plugs or other formed objects, which are claimed in claim 12. Claims 1-11 and 13-15 all relate to a method of manufacturing a culture medium. This election is made because of the administrative/procedural requirement that an election be made, 37 CFR §1.142; MPEP §818.03(b). Applicant expressly takes no position on the correctness of the restriction/election requirement. Should claim 12 be withdrawn from consideration following the filing of this response, applicant hereby requests rejoinder of the claim upon allowance of generic claim 1, from which it depends. Additionally, applicant reserves the right to present the subject matter of claim 12 in one or more continuing or divisional applications.


The foregoing is submitted as a full and complete Response to the Election of Species mailed April 1, 2008, and early and favorable consideration of the claims is requested.

Withdrawal of the outstanding restriction requirement under 35 U.S.C. §121, and examination on the merits is respectfully requested. No fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951. The Examiner is invited to call the undersigned if it is believed that the above restriction election is incomplete or improper in any way, or if a telephonic interview will expedite the prosecution of the application to an allowance.

Respectfully submitted,

Date: _____

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